

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

NICOLE JEAN ROGERS,

Plaintiff,

v.

VALERO, et al.,

Defendants.

No. 2:25-cv-00488-DC-CKD (PS)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THIS ACTION

(Doc. No. 4)

Plaintiff Nicole Jean Rogers is proceeding *pro se* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 22, 2025, the assigned magistrate judge issued findings and recommendations recommending that this action be dismissed, without prejudice, pursuant to Federal Rule of Civil Procedure 41(b) due to Plaintiff's failure to prosecute. (Doc. No. 4.) In particular, the court dismissed Plaintiff's complaint with leave to amend and Plaintiff did not thereafter file a first amended complaint. (Doc. No. 3.) The pending findings and recommendations were served on Plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (Doc. No. 4 at 2.) To date, no objections to the findings and recommendations have been filed, and the time in which to do so has now passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a

1 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
2 findings and recommendations are supported by the record and by proper analysis.

3 Accordingly:

- 4 1. The findings and recommendations issued on May 22, 2025 (Doc. No. 4) are
5 ADOPTED in full;
- 6 2. This action is dismissed, without prejudice, due to Plaintiff's failure to prosecute
7 this action; and
- 8 3. The Clerk of the Court is directed to close this case.

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IT IS SO ORDERED.

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Dated: July 16, 2025

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Dena Coggins
United States District Judge